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**TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**

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**Notice of Public Hearing**  
LSA Document #13-230**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on January 23, 2014, at 9:45 a.m., at the Indiana State Board of Animal Health, Discovery Hall Suite 100, 1202 East 38th Street, Indianapolis, Indiana, the Indiana State Board of Animal Health (BOAH) will hold a public hearing on a proposed rule that will amend BOAH rules at [345 IAC 9](#) and [345 IAC 10](#) governing meat and poultry products inspection.

The proposed rule aligns BOAH's rules with the new United States Department of Agriculture - Food Safety Inspection Service (USDA-FSIS) requirements at 9 CFR 417.4. These requirements govern the validation, verification, and reassessment of the Hazard Analysis and Critical Control Points (HACCP) plan for meat and poultry processing establishments. In order to align BOAH's rules to the federal regulations, the proposed rule amends the incorporation by reference at [345 IAC 9-2.1-1](#) and [345 IAC 10-2.1-1](#) from January 1, 2012, to January 1, 2013. It adds a new section at [345 IAC 9-2](#) to clarify that an establishment that produces non-intact beef products is required to conduct microbiological testing as a component of the ongoing verification activities required by 9 CFR 417.4. It also amends [345 IAC 9-17-4](#) to require an establishment selected for the USDA-FSIS Cooperative Program for Interstate Shipment of Carcasses, Parts of Carcasses, Meat and Meat Food Products to comply with the labeling requirements of 9 CFR Part 317. State law requires the BOAH to enforce requirements with respect to intrastate operations that are at least equal to those imposed and enforced under the federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the federal Poultry Products Inspection Act (21 U.S.C. 451 et seq.). [IC 15-17-5-1](#)(4). In order to comply with state law, BOAH must periodically update the meat and poultry regulations to ensure they are at least equal to 9 CFR Subchapter E, which contains the requirements for federally-inspected facilities. The proposed rule is also necessary to comply with the agency's Cooperative Agreement with USDA-FSIS, under which the state receives 50 percent of the annual operating costs of the Meat and Poultry Inspection program. BOAH's program is subject to regular audits by USDA-FSIS to ensure that the state standards are at least equal to federal requirements. Therefore, the proposed rule does not impose costs beyond what is expressly required by state and federal law. There is not a cost imposed on a regulated entity that would require a justification statement under [IC 4-22-2-24](#)(d)(3).

Copies of these rules are now on file at the Indiana State Board of Animal Health, Discovery Hall Suite 100, 1202 East 38th Street and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

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Indiana State Board of Animal Health

Posted: 11/20/2013 by Legislative Services Agency  
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